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PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL <i>(Only for new nonprovisional applications under 37 CFR § 1.53(b))</i>	Attorney Docket No.	1488.0440003/EKS/PSC
	First Inventor	Henrik S. Olsen
	Title	Human Oncogene Induced Secreted Protein I
	Express Mail Label No.	

APPLICATION ELEMENTS
See MPEP chapter 600 concerning utility patent application contents

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17) (in duplicate)
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 64]
(preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 3]
5. ☒ Oath or Declaration [Total Pages 2]
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR §§ 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76.

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☒ Computer Readable Form (CRF): Request to Open New Disk File
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☒ paper
 - c. ☒ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment: Copy from a prior application
10. ☐ 37 CFR 3.73(b) Statement ☒ Power of Attorney: Copy from a prior application
11. ☒ Letter to PTO Draftsman: Submission of Formal Drawings, with four (4) sheets of formal drawings
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ First and Second Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (2)
(Should be specifically itemized)
15. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
16. ☒ Other: Authorization under 37 C.F.R. § 1.136(a)(3)
17. ☒ Other: The name of the assignee is: Human Genome Sciences, Inc.

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-Part (CIP) of prior application No: 08/994,962
Prior application information: Examiner Carlson, K. Group/Art Unit: 1653

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

Customer No. 28730

or ☐ Correspondence address below

(Insert Customer No. or Attach bar code label here)

NAME	STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.		
	Attorneys at Law		
ADDRESS			
CITY	STATE	ZIP CODE	
COUNTRY	TELEPHONE	FAX	

NAME (Print/Type)	Eric K. Steffe <u>Heleene C. Carlson</u>	Registration No. (Attorney/Agent)	36,688
SIGNATURE	<u>Heleene C. Carlson</u>	Reg. No. <u>47,473</u>	Date <u>July 9, 2001</u>

Burden Hour Statement: this form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.
SKGF Rev 3/29/01 mac

sbo5

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)2,790.00

Complete if Known

Application Number	To be assigned (Divisional of Appl. No. 08/994,962; Filed: December 19, 1997)
Filing Date	Herewith
First Named Inventor	Henrik S. Olsen
Examiner Name	To be assigned
Group Art Unit	To be assigned
Attorney Docket No.	1488.0440003/EKS/PSC

METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to

Deposit Account Number 19-0036
Deposit Account Name Sterne, Kessler, Goldstein & Fox P L L C.

- ☐ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

- ☐ Applicant claims small entity status See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☒ Other*

*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	<u>710.00</u>
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$) 710.00

2. EXTRA CLAIM FEES

Extra	Fee from below	Fee Paid
Total Claims <u>100</u> - 20** = <u>80</u>	X <u>18</u>	= <u>1,440.00</u>
Indep. Claims <u>11</u> - 3** = <u>8</u>	X <u>80</u>	= <u>640.00</u>
Multiple Dependent		=

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim
108	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 2,080.00

** or number previously paid, if greater, For Reissues, see above

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	481	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify):

Other fee (specify):

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0.00

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Enc K. Steffe <u>Helene C. Carlson</u>	Registration No. (Attorney/Agent)	36,688	Telephone	202-371-2600
Signature	<u>Helene Carlson</u>	Reg. No. <u>47,473</u>	Date	<u>July 9, 2001</u>	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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TO: Assistant Commissioner for Patents, Washington, DC 20231.
SKGP Rev. 11/13/00 mnac

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

ATTORNEYS AT LAW

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*LIMITED TO MATTERS
AND PROCEEDINGS BEFORE
FEDERAL COURTS AND AGENCIES
**REGISTERED PATENT AGENT
***SENIOR COUNSEL

July 9, 2001

WRITER'S DIRECT NUMBER:
(202) 371-2625

INTERNET ADDRESS:
ESTEFFE@SKGF.COM

Commissioner for Patents
Washington, D.C. 20231

Box Patent Application

Re: U.S. Non-Provisional Utility Patent Application under 37 C.F.R. § 1.53(b)
Appl. No. To be assigned; Filed: Herewith
(Divisional of U.S. Appl. No. 08/994,962; Filed: December 19, 1997)
For: **Human Oncogene Induced Secreted Protein I**
Inventors: Olsen *et al.*
Our Ref: 1488.0440003/EKS/PSC

Sir:

The following documents are forwarded herewith for appropriate action by the U.S.
Patent and Trademark Office:

1. Fee Transmittal Form (PTO-SB-17) (*in duplicate*);
2. PTO Utility Patent Application Transmittal (Form PTO/SB/05);
3. U.S. Utility Patent Application entitled:

Human Oncogene Induced Secreted Protein I

and naming as inventors:

Henrik S. Olsen; and

Assignee: Human Genome Sciences, Inc.

Commissioner for Patents

July 9, 2001

Page 2

Steven M. Ruben

the application consisting of:

- a. A specification containing:
 - i. 58 pages of description prior to the claims (including a sequence listing on pages 50 to 58);
 - ii. 5 pages of claims (16 claims);
 - iii. a one (1) page abstract;
 - b. Three (3) sheets of drawings (Figures 1-3);
 - c. A copy of the executed Combined Declaration and Power of Attorney for Patent Application, as originally filed in U.S. Appl. No. 08/994,962;
 - d. A copy of the executed Power of Attorney, as originally filed in U.S. Appl. No. 08/994,962;
 - e. A copy of the executed Assignment, as originally filed in U.S. Appl. No. 08/994,962;
 - f. Application Data Sheet;
4. Authorization to Treat a Reply As Incorporating An Extension of Time Under 37 C.F.R. § 1.136(a)(3) (*in duplicate*);
 5. First Preliminary Amendment, with Exhibits A-B;
 6. Second Preliminary Amendment;
 7. Letter to PTO Draftsman: Submission of Formal Drawings (*in duplicate*);
 8. Four (4) sheets of Formal Drawings (Figures 1A, 1B, 2 and 3);
 9. Request to Open New Disk File;
 10. Two (2) return postcards; and

Assignee: Human Genome Sciences, Inc.

Commissioner for Patents
July 9, 2001
Page 3

11. Our check No. 31789 for \$2,790.00 to cover:

\$710.00	Filing fee for patent application;
\$1,440.00	Fee for total claims in excess of 20; and
\$640.00	Fee for independent claims in excess of 3.

In accordance with 37 C.F.R. § 1.821(f), the paper copy of the sequence listing and the computer readable copy of the sequence listing submitted herewith in the above application are the same.

It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Helene C. Carlson
Helene C. Carlson

for Eric K. Steffe
Attorney for Applicants
Registration No. 36,688

REG NO. 47,473

EKS/PSC:arr

Enclosures

P:\USERS\AMACWILL\pchoi\1488\0440003\skgf.cvr.app
SKGF Rev 8/1/00 mac

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Olsen *et al.*

Appl. No. *To be assigned* (Divisional of
U.S. Appl. No. 08/994,962; Filed: December
19, 1997)

Filed: *Herewith*

For: **Human Oncogene Induced
Secreted Protein I**

Confirmation No. N/A

Art Unit: *To be assigned*

Examiner: *To be assigned*

Atty. Docket: 1488.0440003/EKS/PSC

Request to Open New Disk File

Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants request that a new disk file be opened for the above-cited application. The Sequence Listing disk submitted on **December 19, 1997** in the parent, Application No. **08/994,962** filed **December 19, 1997** contains the identical sequence information as that in the present application.

The paper copy of the sequence listing (provided at pages 50-58 of the specification) and the computer readable copy are the same and do not introduce new matter.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

U. Olsen et al.
Reg. NO. 47,473

for Eric K. Steffe
Attorney for Applicants
Registration No. 36,688

Date: *July 9, 2001*

1100 New York Avenue, N.W.
Suite 600
Washington, D.C. 20005-3934
(202) 371-2600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Olsen *et al.*

Appl. No. *To be assigned*

(Divisional of U.S. Appl. No. 08/994,962;

Filed: December 19, 1997)

Filed: *Herewith*

For: **Human Oncogene Induced
Secreted Protein I**

Art Unit: *To be assigned*

Examiner: *To be assigned*

Atty. Docket: 1488.0440003/EKS/PSC

Batch No. **To be assigned**

Letter to PTO Draftsman: Submission of Formal Drawings

Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith are four (4) sheets of formal drawings with Figures 1A, 1B, 2 and 3, corresponding to the informal drawings submitted with the above-captioned application. Identification of the drawings is provided in accordance with 37 C.F.R. § 1.84(c). Acknowledgment of the receipt, approval, and entry of these formal drawings into this application is respectfully requested.

It is not believed that an extension of time is required, other than any already provided herewith. However, if an extension of time is needed to prevent abandonment of the application, then such extension of time is hereby petitioned. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this Letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Eric K. Steffe
Reg. No. 47,473
for Eric K. Steffe
Attorney for Applicants
Registration No. 36,688

Date: July 9, 2001
1100 New York Avenue, N.W.
Suite 600
Washington, D.C. 20005-3934
(202) 371-2600

P:\USERS\AMACWILLU\pchof\1488\0440003\draft ltr SKOF Rev 1/26/01 muc

Assignee: Human Genome Sciences, Inc.